



BOULT • CUMMINGS  
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REGULATORY AUTH

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May 16, 2002

OFFICE OF THE  
EXECUTIVE SECRETARY

David Waddell  
Executive Secretary  
Tennessee Regulatory Authority  
460 James Robertson Parkway  
Nashville, Tennessee 37243

Re: Petition of Tennessee UNE-P Coalition to Open a Contested Case Proceeding  
to Declare Switching an Unrestricted Unbundled Network Element  
Docket No. 02-00207

Dear Mr. Waddell:

Attached please find the original and thirteen copies of the Tennessee UNE-P Coalition's  
Petition for Additional Time to Comment on First Report and Recommendation which we would  
appreciate your filing in the above-referenced docket.

Thank you for your attention to this matter.

Very truly yours,

BOULT, CUMMINGS, CONNERS & BERRY, PLC

By: 

Jon E. Hastings

JEH/th

cc: Guy Hicks, Esq.

**BEFORE THE TENNESSEE REGULATORY AUTHORITY  
NASHVILLE, TENNESSEE**

**IN RE:**

**PETITION OF TENNESSEE UNE-P COALITION TO  
OPEN A CONTESTED CASE PROCEEDING TO  
DECLARE SWITCHING AN UNRESTRICTED  
UNBUNDLED NETWORK ELEMENT**

**Docket No. 02-00207**

**PETITION OF TENNESSEE UNE-P COALITION FOR  
ADDITIONAL TIME TO COMMENT ON  
FIRST REPORT AND RECOMMENDATION**

The Tennessee UNE-P Coalition<sup>1</sup> ("Coalition") hereby files its Petition for Additional Time to Comment on the Hearing Officer's First Report and Recommendation.

The Hearing Officer issued his First Report and Recommendation on May 13, 2002. Circumstances have prevented the Tennessee UNE-P Coalition from meeting to discuss its response before 2:00 p.m. CDT on May 16, 2002. Counsel for a number of the parties, Albert H. Kramer and Jacob Farber of Dickstein Shapiro Morin & Oshinsky, LLP, have been out of town all week at a conference in Nevada. Counsel for the Coalition, Henry Walker, has been out of town in depositions in Kentucky. Despite several attempts to meet to discuss this First Report and Recommendation and to offer an appropriate response, the Coalition has been unable to do so in a timely manner.

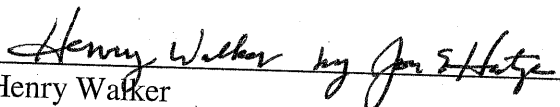
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<sup>1</sup> The Tennessee UNE-P Coalition includes the following companies: Access Integrated Networks, Inc.; AT&T of the South Central States; Birch Telecom of the South, Inc.; Ernest Communications, Inc.; MCImetro Access Transmission Services, LLC and MCI WorldCom Communications, Inc. (collectively, "WorldCom"); NewSouth Communications Corp.; and Z-Tel Communications Inc.

Through separate individual telephone conversations among several members of the Coalition, it is the generally discussed belief that the intended request for relief may have been stated too broadly in the original Petition. If understood to be narrower in scope, the Petition would likely not have caused the Hearing Officer to determine that a rulemaking proceeding would be necessary in this case. The Coalition respectfully requests additional time -- until 2:00 pm CDT on Monday, May 20 -- to respond to the First Report and Recommendation. The Coalition intends to file any such comments and/or clarifications of the relief being requested as soon as possible and, if the Petition is granted, will endeavor to submit comments sooner than the date and time requested.

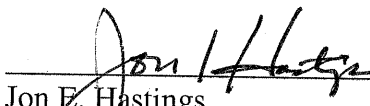
The Coalition greatly appreciates the Authority's consideration of this Petition.

Respectfully submitted,

  
Henry Walker  
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Attorneys for  
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the South, Inc.; Ernest Communications, Inc.;  
NewSouth Communications Corp.; and Z-Tel  
Communications, Inc.*

  
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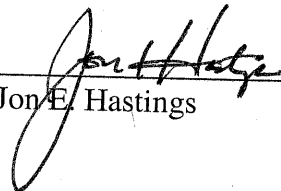
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Six Concourse Parkway, Suite 3200  
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(770) 284-5498

Attorneys for *WorldCom*

## CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing has been forwarded via fax or hand delivery and U.S. mail to the following on this the 16<sup>th</sup> day of May, 2002.

Guy Hicks, Esq.  
BellSouth Telecommunications, Inc.  
333 Commerce St., Suite 2101  
Nashville, TN 37201-3300

  
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Jon E. Hastings